DEPARTMENT OF POLICE ACCOUNTABILITY

DPA CASE NO.: 0134-15

INTERVIEW OF: OFFICER DENNIS RODELAS, #729

DATE OF INTERVIEW: 09/05/2017

[redacted]

INV. AULET: Officer Rodelas, how long have you been a

SFDPA - 0134-15 - 001553

sworn member of the SFPD?

OFC. RODELAS: With San Francisco, I've been a sworn member for ten years.

INV. AULET: And were you an officer somewhere else before?

OFC. RODELAS: Yes, I was.

INV. AULET: For approximately how long?

OFC. RODELAS: For almost 12 years, in San Mateo County.

INV. AULET: In a sworn capacity?

OFC. RODELAS: Yes.

INV. AULET: And how long were you a member of the San Francisco Police Department Crime Scene Investigations Unit?

OFC. RODELAS: I was a member between November 2010, up until July 2017.

INV. AULET: About six-and-a-half years?

OFC. RODELAS: Yes.

INV. AULET: What was your unit identifier on February 26th, 2015?

OFC. RODELAS: I was 5, L as in Lincoln. 54.

INV. AULET: I understand that you responded to the 2800 block of Folsom Street on February 26th, 2015, in relation to an officer involved shooting scene, with Officers Shakur, Nibungco, and Inspector Shouldice from CSI. Is that correct?

OFC. RODELAS: Yes.

INV. AULET: I also understand that those members responded in separate cars. Is that your recollection?

OFC. RODELAS: I believe so.

INV. AULET: And how were you notified of this officer

SFDPA - 0134-15 - 001554

involved shooting?

OFC. RODELAS: One of us, from our team of four, was called by the Operations Center, and I don't remember who was called.

INV. AULET: Via cellphone?

OFC. RODELAS: Yes, work cell.

INV. AULET: Was the officer involved shooting notification system to CSI different when you left that unit than it was back in 2015?

OFC. RODELAS: No. It was the same procedure; has been the same procedure, call-out procedure.

INV. AULET: So, as a member of CSI, prior to July of this year, a few months ago.

OFC. RODELAS: Yes.

INV. AULET: You did not receive the electronic paging system through your Department issued Smartphone?

OFC. RODELAS: I do not have that paging system with the Department cellphone. With Operations Center, they call us directly on our phone numbers.

INV. AULET: Officer, now I know the computer assisted dispatch number is generated for this officer involved shooting, reflect any of the five L unit identifiers from CSI and being on the scene. Does your unit identifier generate a unit history?

OFC. RODELAS: I believe so. If I am on the radio for any reason, it will generate that history in a CAD report.

INV. AULET: But you're not typically on the radio. Are you?

OFC. RODELAS: Most of the time, no.

SFDPA - 0134-15 - 001555

INV. AULET: And you don't respond to calls for service, that they're assigned to you, like a patrolman?

OFC. RODELAS: Correct.

INV. AULET: Okay. Did Inspector Shouldice designate you to be the crime scene report writer for the officer involved shooting that occurred on February 26th, 2015, on the 2800 block of Folsom Street?

OFC. RODELAS: I don't remember for sure, but he was our supervisor.

INV. AULET: How does it typically occur when you are designated the crime scene report writer?

OFC. RODELAS: Typically, it's assigned by our supervisor, or if one of us has less cases on our plate, we'll volunteer.

INV. AULET: So, you don't remember how this one came to fall in your lap?

OFC. RODELAS: No, I don't.

INV. AULET: Yeah. But do you remember writing it?

OFC. RODELAS: Yes.

INV. AULET: And as the report writer, did you keep a case file or notes when you responded to the crime scene of this officer involved shooting scene?

OFC. RODELAS: Yes, I did.

INV. AULET: And did you bring that with you?

OFC. RODELAS: Yes, I did.

INV. AULET: Could you refer to it as we talk? For example, what time did you write down being notified about this officer involved shooting by, you referred to as the Operations Center, but now it's DOC.

SFDPA - 0134-15 - 001556

OFC. RODELAS: In my notes, I write down the time, the approximate time that we arrived.

INV. AULET: Great. Do you have that?

OFC. RODELAS: Yes, I do.

INV. AULET: Can we have it?

OFC. RODELAS: Yes. And it would show at the top left.

INV. AULET: I see 2235 hundred hours.

OFC. RODELAS: Yes.

INV. AULET: And this multi-page document that I see here, one, two, those are your notes?

OFC. RODELAS: Yes, they are.

INV. AULET: And they're stamped with a COPY. Correct?

OFC. RODELAS: Yes.

INV. AULET: Are you submitting that as something for us to look at?

OFC. RODELAS: Of course.

INV. AULET: Thank you.

INV. CAMPANY: Do you need copies?

INV. AULET: We can review [inaudible].

INV. CAMPANY: Okay.

INV. AULET: And feel free to jump in, if there is something that we need to clarify. Do you recall if Inspector Shouldice, Officer Nibungco, Officer Shakur, and yourself, arrived together or at different times?

OFC. RODELAS: I don't remember exactly if we were following each other or if we arrived within minutes. I don't know for sure.

INV. AULET: Before you is a copy of the four pages that

SFDPA - 0134-15 - 001557

were generated as a crime scene log; you are welcome to review it. This crime scene log does not have a time for when you entered the crime scene. Do you have anything to reference how many minutes after the shooting did you respond to the 2800 block of Folsom Street?

OFC. RODELAS: No, I do not. From what I see here, there is no arrival time here with my name.

INV. AULET: Do you have any independent note or recollection to indicate approximately how many minutes after the shooting did you respond to this location?

OFC. RODELAS: No.

INV. AULET: And since we have covered that you have an approximate time of arrival at 2235, but the second page of the crime scene logs indicates that you left the scene at 2342 hours with Officer Nibungco and Officer Shakur. Is that exit time correct?

OFC. RODELAS: I would say no, it is not.

INV. AULET: What do you remember about its inaccuracy?

OFC. RODELAS: I left at the same time Inspector Shouldice did.

INV. AULET: Okay. Well, since this crime scene log does not have an arrival time for you, and you indicated 2235, would that be a time that should be the one that should have been logged in this log?

OFC. RODELAS: Yes.

INV. AULET: Okay. I want to refer you…I'll go there later. Do you know who you arrived with?

OFC. RODELAS: I remember arriving with Inspector

SFDPA - 0134-15 - 001558

Shouldice.

INV. AULET: What is your experience on how the crime scene log officer documents the name, entry time, and exit time into the crime scene log?

OFC. RODELAS: I'm sorry, the question again?

INV. AULET: How does it happen typically?

OFC. RODELAS: Typically, you arrive at scene. Before you enter the crime scene, you meet with whoever has the crime scene log, and you give them your name and Star number. And they, from that point, enter all that information with a time on the crime scene log itself.

INV. CAMPANY: And there’s only one entrance?

OFC. RODELAS: Typically, yes. Because before we enter the actual crime scene, before we enter the actual tape, we look for whoever has, we find out whoever has the crime scene log itself.

INV. AULET: But in this particular case, you see how there are approximately 32 people who are registered either being on-scene, or having arrived on-scene, and there’s no entry time per se, in the left column. Correct?

OFC. RODELAS: Correct.

INV. AULET: And so, the officers handling the crime scene log, at one time or another, or at one location or another, were Officer [unintelligible], Officer Obidi, or [unintelligible]. Did you have contact with any of them at the time of your arrival?

OFC. RODELAS: I don’t remember that.

INV. AULET: Was there a yellow tape perimeter established when you arrived?

SFDPA - 0134-15 - 001559

OFC. RODELAS: Yes.

INV. AULET: Who was handling the crime scene when you walked into the crime scene among these four officers?

OFC. RODELAS: I don’t remember exactly who.

INV. AULET: What did you say to any of those three officers to make your presence known and have them log you in?

OFC. RODELAS: I don’t remember exactly what I said to whoever had the crime scene log, but typically, I just say I'm with CSI, and my name and Star.

INV. CAMPANY: Do they ask for identification or to see your Star?

OFC. RODELAS: I'm in full uniform, so I've never been asked.

INV. AULET: Do you see the names of other CSI members following your name in the crime scene log?

OFC. RODELAS: Yes, I do.

INV. AULET: And we’re looking at page two. Right?

OFC. RODELAS: Correct.

INV. AULET: And you see that their arrival time is also missing in the crime scene log, but that their departure time was entered, just like yours?

OFC. RODELAS: Yes.

INV. AULET: And you indicated that that, from your recollection, is an inaccuracy. Correct?

OFC. RODELAS: Yes. The time of exiting the crime scene.

INV. AULET: And could you verify that further by looking at page number four in your copy, where you see the time members of CSI as well, near the bottom of the page?

SFDPA - 0134-15 - 001560

OFC. RODELAS: Yes. I don’t see my name again on this page.

INV. AULET: Okay.

INV. CAMPANY: Did you ever leave the crime scene and re-enter for any reason?

OFC. RODELAS: No.

INV. AULET: Does the collective departure time documented for you, Shakur, and Nibungco at 2342 hours, refreshes your memory of anything?

OFC. RODELAS: I believe that that time, 2342 hours, when they left the crime scene that was when they went to Mission Station.

INV. AULET: What do you remember about that?

OFC. RODELAS: Well, they were assigned, or tasked with going to Mission Station to collect the firearms from the two officers involved, and also take photographs.

INV. AULET: And that’s common for what a photographer and a videographer’s duties are?

OFC. RODELAS: Yes.

INV. AULET: And you stayed with Inspector Shouldice on Folsom, while they went to Mission?

OFC. RODELAS: Yes, I did.

INV. AULET: Did you hear any Homicide sergeant tell Inspector Shouldice or any CSI member, that the officers involved in this shooting were at Mission Station?

OFC. RODELAS: I don’t know how I came about knowing that, but I did. I don’t know if it came from Homicide or another supervisor at the scene.

SFDPA - 0134-15 - 001561

INV. AULET: Is that because you recall hearing a voice of someone saying something to that effect?

OFC. RODELAS: That’s because when we were briefed upon our entry, by the supervisor there at the scene, those are the details he provided us.

INV. AULET: And do you recall who that supervisor was?

OFC. RODELAS: May I reflect on my report?

INV. AULET: Of course.

OFC. RODELAS: For my recollection? It was Sergeant Montoya.

INV. AULET: And do you recall who was the one who gave the directive to Officers Shakur and Nibungco to go over there and photograph, collect the firearms?

OFC. RODELAS: I believe it was Inspector Shouldice; I don’t know for sure.

INV. AULET: And that’s because typically, it is by the supervisor of CSI who directs them what to do?

OFC. RODELAS: Typically, whoever, if there’s a supervisor or whoever’s taking a primary role, such as myself, in writing the actual narrative of the report. But I just don’t remember if it was myself volunteering them, or if it came at the direction of Inspector Shouldice.

INV. AULET: Could it be a directive issued by one of the Homicide sergeants on-scene?

OFC. RODELAS: I don’t believe so.

INV. AULET: Could you explain to me why not?

OFC. RODELAS: Usually they don’t actually make that call. I've never had that happen.

SFDPA - 0134-15 - 001562

INV. AULET: Is it accurate that once the variety of teams, meaning the patrol supervision and patrol, they assist in setting up the perimeter and controlling the scene, that the Homicide inspectors or supervisors, they are focused on the investigation, and that you, as part of the CSI, you are focused on identifying, marking, collecting, and documenting evidence of the crime scene? And then the Medical Examiner focuses on handling the body when they do arrive?

OFC. RODELAS: I'm sorry. So, the question is?

INV. AULET: Are those tasks divided among the four teams that respond typically?

OFC. RODELAS: Typically, yes.

INV. AULET: And that is the reason why you believe that this directive would have come from Inspector Shouldice, rather than one of the Homicide sergeants, if they were on-scene at the time?

OFC. RODELAS: Yes.

INV. AULET: Okay. But you didn’t specifically hear Inspector Shouldice direct Nibungco and Shakur?

OFC. RODELAS: That I do not remember.

INV. AULET: Were you familiar with the supervisors at Mission Station, patrol supervisors?

OFC. RODELAS: Not all of them. A lot of them, some of them I know by face, some of them I know by name.

INV. AULET: Yes. How about Lieutenant Mark Im? Do you know him?

OFC. RODELAS: I don’t believe I know him personally, but I know of him.

SFDPA - 0134-15 - 001563

INV. AULET: Do you know if he was there when you arrived on-scene?

OFC. RODELAS: I do not remember.

INV. AULET: Do you know Sergeant Thomas Fong?

OFC. RODELAS: Yes.

INV. AULET: Did you see him on-scene when you arrived?

OFC. RODELAS: I do not remember.

INV. AULET: Did you know Captain Daniel Perea at the time?

OFC. RODELAS: Yes, I do.

INV. AULET: Did you see him on-scene?

OFC. RODELAS: I don’t remember.

INV. AULET: How about Lieutenant Mario Molina from Bayview?

OFC. RODELAS: Yes, I do know him, of him.

INV. AULET: Did you see him?

OFC. RODELAS: I don’t remember if I did or not.

INV. AULET: Bayview Sergeant Martin [Van Vick], do you know him, or did you know him?

OFC. RODELAS: I know of him.

INV. AULET: Did you see him on-scene?

OFC. RODELAS: I do not remember.

INV. AULET: How about Sergeant Jason Garden from Bayview District?

OFC. RODELAS: I know of him.

INV. AULET: Did you see him?

OFC. RODELAS: I don’t remember.

INV. AULET: All these names that I've mentioned are on

SFDPA - 0134-15 - 001564

the crime scene log at some point in time. Is it your recollection that this was a rather large inner and outer perimeter crime scene area?

OFC. RODELAS: It was.

INV. AULET: Okay. If you were not directed to go to Mission Station, what did you continue doing on Folsom Street with Inspector Shouldice?

OFC. RODELAS: I remember continually examining the scene, making sure that the evidence that was marked, making sure there was no other evidence at the scene. And I believe I may have helped him with measuring the scene as well.

INV. AULET: And when you say measuring, is there any reference to that in your crime scene report that you're referring to?

OFC. RODELAS: Yes.

INV. AULET: And what relation does that have to those measurements? What relations do they have to the body, to the deceased on-scene?

OFC. RODELAS: In relation to the deceased, these are measurements of evidence that was found around the deceased, and they were also measurements of the actual street with sidewalk width.

INV. AULET: So, you're referring to the measurements that Inspector Shouldice was compiling, in order to provide them later on to Officer Gomes, in order to construct a CSI document that was put in digital form from the measurements that he took, and that you assisted with getting?

OFC. RODELAS: Yeah. I don't remember exactly what my role

SFDPA - 0134-15 - 001565

was, but I may have assisted him in some way, in collecting the data.

INV. AULET: Okay. And you would pass it on to him?

OFC. RODELAS: No. He was in charge of actually measuring and collecting the data. I may have assisted just helping him clear the path for the measuring devices he used.

INV. AULET: And would he probably also verbalize them? And since you were the report writer, you would write them down?

OFC. RODELAS: I remember that he was using, besides measuring them, I believe he was writing them down himself; I don't know for sure.

INV. AULET: And did Medical Examiner personnel also respond to this officer involved shooting?

OFC. RODELAS: Yes, they did.

INV. AULET: And did they arrive to the scene before or after you?

OFC. RODELAS: I don't remember exactly when.

INV. AULET: Not even after reviewing the videotape of CSI?

OFC. RODELAS: No. I would have to specifically go over that again on the video. I'm sorry. They definitely got there after I did, or into the crime scene. I don't know if they were standing by, outside the crime scene, before I got to the scene, but in coming into the actual scene and handling the deceased, obviously, it was after I had arrived.

INV. AULET: And that's the normal chronology of events?

OFC. RODELAS: Normally, yes.

INV. AULET: Okay. Did you hear any CSI directing the

SFDPA - 0134-15 - 001566

Medical Examiner personnel on what to do or what not to do?

OFC. RODELAS: I don’t remember.

INV. AULET: Did you hear any Mission Station personnel or patrol supervisors directing Medical Examiner on what they could do or not do?

OFC. RODELAS: I don’t remember, but with the Medical Examiner, they are typically, they actually do their job; it’s not really questioned. We don’t provide any—I've never, in six years, provided them any instruction or directive.

INV. AULET: So, you witnessed no interference with what Doctor Moffatt and her personnel were doing that evening?

OFC. RODELAS: I don’t believe so.

INV. AULET: Does CSI members typically communicate during responses to OISes on any particular low-band or PIC radio channel?

OFC. RODELAS: CSI, amongst each other?

INV. AULET: With Dispatch?

OFC. RODELAS: With Dispatch? Typically, no.

INV. AULET: And that’s because CSI units do not generate calls for service, but instead, respond to where the OC directs them to respond to provide support to investigation units.

OFC. RODELAS: Yes.

INV. AULET: And for that reason, CSI members do not broadcast when you respond, or arrive to a crime scene, or depart from the crime scene. Is that correct?

OFC. RODELAS: I'm sorry. Can you repeat?

INV. AULET: And for that reason, CSI members typically

SFDPA - 0134-15 - 001567

do not broadcast when you respond, or arrive, or depart from a crime scene?

OFC. RODELAS: For the most part, yes.

INV. AULET: Do you recall the direction in which you arrived to the scene of this officer involved shooting on Folsom Street?

OFC. RODELAS: On Folsom Street, I remember coming in from 25th and Folsom.

INV. AULET: So, you came into the scene from the south?

OFC. RODELAS: Yes.

INV. AULET: So, that would be a northbound direction. Correct?

OFC. RODELAS: Correct.

INV. AULET: And you indicated that you recall that there was already a yellow crime scene tape up. Correct?

OFC. RODELAS: Yes, there was.

INV. AULET: And do you recall that that tape was on both the south point that you entered, as well as the north point?

OFC. RODELAS: Yes.

INV. AULET: And I know you said you don’t remember which of the three crime scene log officers that I've provided you a copy with, but I'm trying to refresh your memory, so indulge me, if you will. Do you recall whether you encountered a female, a skinny African American male, or a short Asian female officer when you walked into the crime scene?

OFC. RODELAS: I don’t remember.

INV. AULET: Just to clarify for the record,

SFDPA - 0134-15 - 001568

approximately how many crime scenes have you responded to since February of 2015?

OFC. RODELAS: When you say crime scenes, in general, or just shootings, or…?

INV. AULET: If your memory does not distinguish between shootings and other crime scenes, can you give me an approximate idea of how many total responses to crime scenes, whether the Operation Center sends your unit, you have responded to?

OFC. RODELAS: Well, since then, if you're referring to all crime scenes, I would have to say several hundred.

INV. AULET: And officer involved shootings that you have responded when you have been working, since 2015? Approximately?

OFC. RODELAS: Approximately three to five since.

INV. AULET: You were given the task of being the crime scene report writing officer for this officer involved shooting response. Is that correct?

OFC. RODELAS: Yes.

INV. AULET: And that was also assigned to you by Inspector [sounds like: Showl-deece]?

OFC. RODELAS: I believe so.

INV. AULET: [sounds like: Showl-dice]?

OFC. RODELAS: Shouldice.

INV. AULET: Okay. Officer Rodelas, the photographs you're about to review during your interview are from the Homicide file, which include a disc produced by CSI of the pictures Officer Nibungco took of the officer involved shooting scene on the evening of February 26th, 2015. As part of the OCC,

SFDPA - 0134-15 - 001569

now DPA, investigation of this officer involved shooting, DPA received, and I printed, the photographs contained therein, in the chronological order in which they appear, and numbered them. I'm going to start with photo number eight. If you could put this over there? Do you know Officer Eric Reboli, in picture number 80 before you?

OFC. RODELAS: I know of him. I do not know him personally.

INV. AULET: Did you see him on Folsom Street when you arrived?

OFC. RODELAS: When I arrived, no.

INV. AULET: SFPD photo number 99 before you is the photo of Officer Craig Tiffe. Do you know Officer Craig Tiffe?

OFC. RODELAS: Not personally, but I know of him.

INV. AULET: Did you see him on Folsom Street when you arrived?

OFC. RODELAS: No.

INV. AULET: Do you know Officer Dominique Ellis by name?

OFC. RODELAS: No, I do not.

INV. AULET: And now that you see SFPD picture number 107, do you know her?

OFC. RODELAS: No.

INV. AULET: Did you see her on Folsom Street?

OFC. RODELAS: I don’t remember if I did or not.

INV. AULET: But the fact that she’s a uniformed officer, makes it difficult for you to distinguish who you saw on-scene?

SFDPA - 0134-15 - 001570

OFC. RODELAS: For the most part.

INV. AULET: To the best of your knowledge, were the involved shooting officers on-scene when your CSI team arrived and began documenting, recording, and photographing the officer involved shooting crime scene?

OFC. RODELAS: I don't recall for sure.

INV. AULET: And is it correct, you indicated that who initially briefed your team when you all arrived on scene was Sergeant Montoya?

OFC. RODELAS: Yes.

INV. AULET: Was anyone else with him?

OFC. RODELAS: That I do not remember.

INV. AULET: And at that time, were the shooting officers identified to you?

OFC. RODELAS: No.

INV. AULET: So, you did not know who the officers involved were when you were doing your work on-scene?

OFC. RODELAS: No.

INV. AULET: But there was a reference by someone that these officers were at Mission Station, for Officer Nibungco and Shakur to respond to both collect their firearms, or better yet, to exchange firearms with them, and to photograph them?

OFC. RODELAS: I believe there had to be some reference to those officers, yes.

INV. AULET: But not necessarily by individual names?

OFC. RODELAS: I don't remember for sure.

INV. AULET: Is it typical for CSI to arrive and not find the involved shooting officers on-scene?

SFDPA - 0134-15 - 001571

OFC. RODELAS: Typically, yes.

INV. AULET: As a matter of crime scene integrity, once a CSI team arrives, is it typical for involved officers, who were the shooters, to be present while your team is documenting the crime scene?

OFC. RODELAS: You're asking if the actual officers involved in the shooting.

INV. AULET: Uh-huh.

OFC. RODELAS: Is it typical that they're present while…? Typically, no.

INV. CAMPANY: Is there a reason for that?

OFC. RODELAS: I don't know of any, what the exact reason is, but typically, the officers are taken away from the scene. By the time CSI gets there, usually all of that has taken place and they froze the scene for CSI.

INV. CAMPANY: And when you say, freeze the scene, how does that occur?

OFC. RODELAS: With crime scene tape, and when they deem it safe at that point.

INV. AULET: Please refer to the crime scene report, page 4 of 13, the fourth paragraph, second sentence, which indicates that there were two vehicles parked in the northbound parking lanes facing north on the street. The third and fourth sentence identifies the two vehicles as a silver Toyota and a blue Nissan. The report then described there was a deceased subject on the street between both of these vehicles. Correct?

OFC. RODELAS: Correct.

INV. AULET: Do you see SFPD pictures 113 and 114 before

SFDPA - 0134-15 - 001572

you?

OFC. RODELAS: Yes.

INV. AULET: According to page 5 of 13 of your crime scene report, those pictures of the unmarked, silver Crown Victoria were taken by CSI Officer Nibungco. Is that correct?

OFC. RODELAS: I'm sorry, whereabouts on this report?

INV. AULET: Page 5 of 13.

OFC. RODELAS: Okay.

INV. AULET: According to that page of your report, those pictures of the unmarked, silver Crown Victoria were taken by CSI Officer Nibungco. Is that correct?

OFC. RODELAS: Uh, where exactly, what paragraph are we looking at?

INV. AULET: Under Evidence, the first paragraph. You write, “Officer Nibungco took photographs of the scene and evidence. Officer Shakur videotaped the scene and evidence.”

OFC. RODELAS: Okay. Under Evidence? Yes.

INV. AULET: So, did Officer Nibungco take the pictures of this unmarked vehicle?

OFC. RODELAS: I don’t know for sure.

INV. CAMPANY: Was he the only one taking pictures at the scene?

OFC. RODELAS: At the scene he was. This is the parking lot, so I don’t know who actually took these pictures.

INV. AULET: Do you recognize that parking lot? And there are other pictures, feel free to peruse through them.

OFC. RODELAS: It’s hard to tell, where exactly this vehicle is parked.

SFDPA - 0134-15 - 001573

INV. AULET: Did you ask Officer Nibungco or any other sworn member where those pictures were taken?

OFC. RODELAS: I don't remember if I did.

INV. AULET: Did Officer Nibungco volunteer to you where the pictures were taken?

OFC. RODELAS: I don't remember if he did or not.

INV. AULET: But if he did, that would have been part of your report, would it not?

OFC. RODELAS: It would be a part of the Supplemental Report, of their response to Mission Station.

INV. AULET: But there is no Supplemental Report in this case from CSI, is there?

OFC. RODELAS: I do have one from Officer Shakur and Nibungco, regarding his response to Mission Station.

INV. AULET: Is it part of the 13 pages of your report?

OFC. RODELAS: No, it is not, it's a supplemental report.

INV. AULET: Okay. How about Nibungco? Did he prepare a separate statement himself?

OFC. RODELAS: No, he did not.

INV. AULET: Does the supplemental report by Officer Shakur, does it indicate anything about the unmarked, Crown, silver Crown Victoria?

OFC. RODELAS: I do not see that here. No.

INV. AULET: What is that supplemental pertaining to?

OFC. RODELAS: This is pertaining to those two officers responding to Mission Station, to take photographs of the officers involved, and conducting the firearms exchange with the two officers, Reboli and Tiffe.

SFDPA - 0134-15 - 001574

INV. AULET: Do you mind if I compare it?

OFC. RODELAS: Yes.

INV. AULTE: To what we have, to see if that's something we don't have? Okay. So, it's this one, page 104, Crime Scene Report Form. So, we do have it, but there is no reference about this vehicle being photographed. Correct?

OFC. RODELAS: No, not in this report.

INV. AULET: Okay. Would this be something that was their duty to include in this report, rather than yours, because they were the ones who took the photos, and you were not there to even know about this vehicle or where it was?

OFC. RODELAS: I would say probably, yes.

INV. AULET: Is it possible there is yet another supplemental prepared by Officer Nibungco, who was the one, as I understand, the only one who photographed that night for CSI? And since we're talking about photographs, is it possible there's a supplemental that…

OFC. RODELAS: I don't believe so.

INV. AULET: Why?

OFC. RODELAS: From what I recall, this was it for the case file, and I actually went through the case file to get my copies, and these were it.

INV. AULET: Okay. Did you ask Officer Nibungco who told him to take those pictures of the unmarked, silver, Crown Ford, Crown Victoria in pic 113, 114, et cetera?

OFC. RODELAS: I don't believe so.

INV. AULET: That's because you didn't know they had taken pictures of a car when they went to Mission Station?

SFDPA - 0134-15 - 001575

OFC. RODELAS: No. I didn’t know.

INV. AULET: Did Officer Nibungco tell you anything about photographing that vehicle?

OFC. RODELAS: I don’t remember specifically if he told me or not, or anything regarding the vehicle.

INV. AULET: But if he would have mentioned something of a vehicle that he photographed at the station, is it likely that you would have included that in your report, and perhaps asked him some follow-up questions to have an understanding of how was that related to what you were doing on Folsom Street?

OFC. RODELAS: I would think that that would be completely under the supplemental report, as opposed to something that I would add on my report, since my report actually dealt with the scene and everything there.

INV. AULET: All right. Well, let me elaborate on a few more questions and see perhaps, how you may see what I'm trying to get at. Which is, it seems that this may have been part of the overall report, whether it’s one person or another, CSI to document. Other than Officer Nibungco, did anyone else tell you why that vehicle was photographed?

OFC. RODELAS: I don’t remember.

INV. AULET: And that includes patrolmen, patrol supervisors, Command staff, Homicide, anyone?

OFC. RODELAS: Yes. That would include anyone, yes.

INV. AULET: When you arrived on-scene, did you see the unmarked vehicle depicted in picture 113, double-parked in the northbound direction, somewhere behind car number two?

OFC. RODELAS: I don’t believe it was there, I don’t

SFDPA - 0134-15 - 001576

remember. I don’t believe it was there.

INV. AULET: Okay.

OFC. RODELAS: I don’t know for sure, but I don’t believe that vehicle was there.

INV. CAMPANY: If it was, would it be in your report?

OFC. RODELAS: I would write that down.

INV. AULET: Let’s just see. Starting from the beginning, go picture one through approximately 13 or 14, so that you can see how this seems from a larger distance to a closer distance was documented, and when you get to number ten, please stop.

OFC. RODELAS: Okay.

INV. AULET: So, that’s a northbound view, the same that you walked to get to the scene. Do you see the two vehicles that you documented in your report, the blue Nissan and the silver Toyota?

OFC. RODELAS: Yes, I do.

INV. AULET: Okay. And you don’t see this unmarked Crown vehicle parked or double-parked in the northbound direction, somewhere behind car number two. Right?

OFC. RODELAS: That is correct.

INV. AULET: And is it your recollection that you did not see this unmarked, silver Crown Victoria anywhere within the crime scene before you left?

OFC. RODELAS: To the best of my recollection, that’s correct.

INV. AULET: Okay. Do you have the diagram that was prepared for this?

SFDPA - 0134-15 - 001577

OFC. RODELAS: Yes, I do.

INV. AULET: Okay. By the way, this is your supplemental.

OFC. RODELAS: Okay.

INV. AULET: Right. If we were looking at this CSI diagram, which has vehicle number one and vehicle number two, as well as casings, the tree foliage, and the [parameters] of Folsom Street, both east sidewalk and the west sidewalk. If the vehicle in pictures number 113 and 114, was pointed out to you as somehow involved, and had been parked in the northbound direction behind [part] number two, would it be part of your crime scene report?

OFC. RODELAS: If that vehicle was there, yes.

INV. AULET: Or if it had been pointed out to you that that's where it was?

OFC. RODELAS: Probably.

INV. AULET: Okay. And that vehicle would have found a place in this CSI diagram?

OFC. RODELAS: Probably not, because it wasn't actually there.

INV. AULET: Okay. And given that strict rule that I hear that if the physical evidence is not there, then it probably wouldn't make it into the diagram. Does that confirm that this vehicle was not on-scene when your team was documenting, photographing, and videographing the evidence in the crime scene?

OFC. RODELAS: That is correct.

INV. AULET: And what happens before CSI begins video

SFDPA - 0134-15 - 001578

recording the crime scene? Is there anything that you guys do before you actually decide, “Okay. Now we’re going to videograph and photograph the crime scene”?

OFC. RODELAS: We make sure that evidence that will be collected is properly marked for the photographs and the videotape.

INV. AULET: And are the photographs and the videography occur simultaneously?

OFC. RODELAS: It can. It has been in the past, and in other times it hasn’t.

INV. AULET: So, there’s no hard and fast rule about that?

OFC. RODELAS: Correct.

INV. AULET: Because sometimes, even after it’s photographed and videographed, things are found afterwards.

OFC. RODELAS: Yes.

INV. AULET: Okay. Approximately how many minutes after your arrival would you say that the CSI team began recording the crime scene?

OFC. RODELAS: I don’t remember for sure.

INV. AULET: And again, there’s no fast and hard rule about this?

OFC. RODELAS: No.

INV. AULET: There’s nothing that has to happen first, before like clicking the camera, turning on the videography?

OFC. RODELAS: Well, the general rule is we have to make sure that again, evidence is properly marked.

INV. AULET: Do you recall when that happened in this

SFDPA - 0134-15 - 001579

case, that you felt, “Okay. We have everything lined up, let’s start doing that”?

OFC. RODELAS: No, I do not.

INV. AULET: And why is that?

OFC. RODELAS: Generally, we don’t like to rush anything for the purpose of missing, or the possibility of missing something. So, we usually take our time in making sure we’re doing a thorough job.

INV. AULET: And was there anyone rushing you or Inspector Shouldice, on this particular night in question, from Patrol?

OFC. RODELAS: I don’t believe so.

INV. AULET: Or Investigations?

OFC. RODELAS: I don’t believe so. Not me directly.

INV. AULET: Do you recall any participation or questions from any of the four Homicide sergeants on-scene?

OFC. RODELAS: I don’t recall anything specific.

INV. AULET: Did Officer Gomes prepare the diagram that CSI eventually produced?

OFC. RODELAS: I believe he take part in it, in that he used a diagramming program on the computer.

INV. AULET: So, you and Inspector Shouldice took the measurements on-scene, and then the information was provided to him, and then he created digitally the diagram?

OFC. RODELAS: Well, again, with Inspector Shouldice, I believe he did the measurements himself. I possibly assisted with lighting. I don’t know for sure, but all of that, the information, the data that he collected, he dealt with Tony

SFDPA - 0134-15 - 001580

Gomes, Officer Gomes himself.

INV. AULET: Before Officer Nibungco began taking photographs, and Officer Shakur began videotaping the crime scene, did you observe any vehicle driven out of the inner perimeter?

OFC. RODELAS: That I don't remember; I don't know.

INV. AULET: Had it occurred, would it have caught your attention?

OFC. RODELAS: I believe so, yes.

INV. AULET: But you don't have such a recollection?

OFC. RODELAS: Not at this time.

INV. AULET: Were you near Officer Nibungco when he took CSI picture number ten?

OFC. RODELAS: That I do not remember exactly where I was.

INV. AULET: Is it common practice for you and the photographer, meaning the person writing the report and the person taking the photographs, to be walking along as these evidence that has already been marked, begins to be documented with photos and videograph?

OFC. RODELAS: Typically no.

INV. AULET: What happens typically when the photographer begins to take the photos?

OFC. RODELAS: When he starts to take the photos, we pretty much give whoever is photographing or videotaping the scene, the go-ahead, that everything's marked, go ahead and start taking photos, and that's typically what's done. The photographer starts with his general photos and works towards the crime scene.

SFDPA - 0134-15 - 001581

INV. AULET: And what do you, the report writer, do at that point, once you're assured that the scene is ready to be documented?

OFC. RODELAS: I typically make sure that officers on-scene know as well that photographs will be taken and that evidence will be taken. At the same time, I'm actually still canvassing the scene for anything else that I may find that could be related to this incident.

INV. AULET: And the reason you're alerting officers the photographs are about to be taken, is so that they are not either walking into the photograph or to stay out of the crime scene so that it can be photographed without them?

OFC. RODELAS: Generally, yes, and to keep them from getting in the way of an actual photograph, a shot.

INV. AULET: And now that you've seen the four pages of the crime scene log, particularly the beginning, if you take a glance at the first page…back again. Do you remember that many officers within the crime scene when you first walked in?

OFC. RODELAS: It's hard to say for sure. This is a lot of, these are a lot of officers listed here. I don't know.

INV. AULET: But before we started this interview, I allowed you to see the CSI videotape. Right?

OFC. RODELAS: Yes.

INV. AULET: And you saw it in its entirety?

OFC. RODELAS: Yes.

INV. AULET: And you saw how many officers were either on one side of the street or the other sidewalk. Did you not?

OFC. RODELAS: Yes, I did.

SFDPA - 0134-15 - 001582

INV. AULET: And did that seem like a normal amount of officers to be inside a crime scene?

OFC. RODELAS: Generally, it didn’t look anything out of the norm from other crimes scenes that I've been in.

INV. AULET: And I may have asked you this already, but I'm going to word it the way I have it, so that we can confirm whether it was Sergeant Montoya or not. Do your field or case field notes indicate who was with CSI during the first walk-through of the crime scene?

OFC. RODELAS: Yes.

INV. AULET: So, it was Sergeant Montoya?

OFC. RODELAS: I believe so.

INV. AULET: Okay. And during that first walk-through, did anyone inform you that the vehicle in picture number 113 was an unmarked vehicle driven by the involved officers who responded to 2857 Folsom Street?

OFC. RODELAS: I'm sorry, can you ask that again?

INV. AULET: Yes. And during that first walk-through, did anyone inform you that the vehicle in picture number 113 was an unmarked vehicle driven by the involved officers who had responded to 2857 Folsom Street?

OFC. RODELAS: I don’t remember.

INV. AULET: Did anyone tell you that that car was missing from the original crime scene?

OFC. RODELAS: That I do not remember as well.

INV. AULET: Was that vehicle mentioned at any time in your presence?

OFC. RODELAS: I don’t remember.

SFDPA - 0134-15 - 001583

INV. AULET: If that vehicle was within the crime scene, but was moved before CSI documented, photographed, and video recorded the crime scene, would you want to know about it?

OFC. RODELAS: Typically, yes.

INV. AULET: In what circumstance would you not want to know that the vehicle in which the shooting officers used to get to the scene was suddenly, no longer within the crime scene, where they had parked it? In which case would you not want to know that?

OFC. RODELAS: I would say that I would always want to know.

INV. AULET: Okay. So, I'm going to scratch the word, typically. You would always want to know?

OFC. RODELAS: I'm sorry. That’s just, that just came out; I misstated that.

INV. AULET: That’s okay. I'll note it as a big yes. Correct?

OFC. RODELAS: Yes.

INV. AULET: And no one informed you of that fact?

OFC. RODELAS: As far as I can recollect, no.

INV. AULET: Is the mode of arrival for officers involved in the shooting, evidence pertinent to the collection of evidence by CSI?

OFC. RODELAS: Is the…?

INV. AULET: Mode of arrival for the officers involved in the shooting, evidence pertinent to the collection of evidence by CSI?

OFC. RODELAS: Yes.

SFDPA - 0134-15 - 001584

INV. AULET: Would you agree that this evidence could be pertinent to any investigation of this officer involved shooting?

OFC. RODELAS: Yes.

INV. AULET: Who would have been responsible for providing you such information about the car driven by the involved officers?

OFC. RODELAS: I would say a supervisor on-scene probably.

INV. AULET: Meaning a Patrol supervisor?

OFC. RODELAS: Either a Patrol supervisor or any supervisor on-scene.

INV. AULET: That would include any Homicide investigator on-scene, if they had knowledge of that?

OFC. RODELAS: Possibly, yes.

INV. AULET: You know that I went through a captain, a lieutenant from Mission, about four sergeants, both from Bayview and Mission. You don’t remember any of them providing any information to you, Shouldice, or Shakur, or Nibungco about a car being moved out?

OFC. RODELAS: I don’t remember.

INV. AULET: Okay.

OFC. RODELAS: Yeah. I really don’t.

INV. AULET: Does moving this car, while the crime scene was being processed, alter the crime scene?

OFC. RODELAS: Moving the car while we are processing it?

INV. AULET: Yes.

OFC. RODELAS: I would say yes, it probably would.

INV. AULET: Go ahead.

SFDPA - 0134-15 - 001585

INV. CAMPANY: Could you turn that to page 113 again, just so we have the car? Okay. And you previously noticed that this is in a parking lot. Right? This is not at the crime scene?

OFC. RODELAS: Correct.

INV. CAMPANY: What would cause somebody to photograph a piece of evidence, or a vehicle, or anything that's not at the crime scene, but put it in the case file?

OFC. RODELAS: What would…?

INV. CAMPANY: What would cause an officer, or the photographer, to take a picture of a piece of evidence or a piece of anything that's not in the crime scene?

OFC. RODELAS: He was probably given some information that this was involved.

INV. CAMPANY: After it was moved?

OFC. RODELAS: After.

INV. CAMPANY: Now, did you happen to ask anybody, or would it be in your scope of investigation to ask how the involved officers arrived?

OFC. RODELAS: No.

INV. CAMPANY: So, you would just be given that information as you're conducting your investigation or your reporting on the crime scene?

OFC. RODELAS: Yes. So, when I process the actual scene, I'm just dealing with what is actually there, and anything that happened before that, I just would assume that that would be brought out during an investigation during the actual investigation by other units, the investigating units.

INV. CAMPANY: At the same time, if you're at a crime

SFDPA - 0134-15 - 001586

scene and something doesn’t make sense—say there’s no vehicle anywhere in sight, it would prompt you to ask questions, wouldn’t it, a little bit?

OFC. RODELAS: It may, but generally, my job is to report what I have in front of me and that’s actually there physically.

INV. CAMPANY: Okay.

INV. AULET: Is it something that may fall under the investigative unit as to what actually happened prior to what they see on-scene? Meaning the Homicide inspectors?

OFC. RODELAS: I would say yes.

INV. AULET: Now, I'm going to go back to the deceased and the body. In what position was the deceased, Amilcar Perez Lopez, when you first saw him?

OFC. RODELAS: When I first saw him, he was face-up and under a yellow blanket.

INV. AULET: What could you establish from his position and the evidence found near his body?

OFC. RODELAS: Well, I can establish that there was a shooting involved.

INV. AULET: Nothing further?

OFC. RODELAS: Nothing further.

INV. AULET: Was there a pool of blood next to him when your team first documented the body?

OFC. RODELAS: Yes.

INV. AULET: And would you say that the body of Amilcar Perez Lopez was moved from his original falling position, given the pool of blood next to him?

OFC. RODELAS: I can’t say for sure.

SFDPA - 0134-15 - 001587

INV. AULET: Would you like to see the video again?

OFC. RODELAS: Sure.

(The video is played.)

INV. AULET: Okay.

OFC. RODELAS: Okay.

INV. AULET: So, I think I'm going to stop it here, 08:34. If you recall, there was a pool of blood to the left and underneath him. Does that help you answer my question?

OFC. RODELAS: Yes. And actually, the fact that he was handcuffed, and laying on his handcuffs, he would have to have been in another position to actually handcuff him.

INV. AULET: Okay. What could the CSI team establish from the location, position, and manner in which your team found and documented the body on this crime scene, if anything?

OFC. RODELAS: If anything, that casings were mostly on the sidewalk, and that Mister Lopez ended up in the position in the street, in the general area where he lay in this photo, or in this still.

INV. AULET: Do you recall the knife on this case, on the crime scene?

OFC. RODELAS: Yes.

INV. AULET: And did you see anyone standing next to or watching over the knife when you arrived on-scene?

OFC. RODELAS: I don’t remember specifically if, when I arrived, that there was someone actually standing next to it.

INV. AULET: What did the knife, in relation to the body of Amilcar Perez Lopez, was?

OFC. RODELAS: In relation to distance?

SFDPA - 0134-15 - 001588

INV. AULET: Yes.

OFC. RODELAS: I would say several feet south of his body position.

INV. AULET: Did you move the knife when you arrived on-scene?

OFC. RODELAS: No, I did not.

INV. AULET: Did you see anyone move the knife?

OFC. RODELAS: No, I did not.

INV. AULET: Do you know Officer Michael Mayo?

OFC. RODELAS: No.

INV. AULET: Did anyone tell you that the knife had been moved?

OFC. RODELAS: I don’t remember if anyone told me or not.

INV. AULET: Would that be something that you would have included in your report, if someone mentioned it was moved for one reason or another?

OFC. RODELAS: Probably not. Again, I'm dealing with what I have at the time, and anything that may have happened prior to that would be brought out during the investigation, or with statements from officers.

INV. AULET: So, an officer would have to write that for some reason, accidental, intentional, that they moved the knife, in a written statement? So, that would be incorporated with the overall involvement with responding officers?

OFC. RODELAS: I would think in a written statement or provided to an investigator.

INV. AULET: Like Homicide?

OFC. RODELAS: Like Homicide.

SFDPA - 0134-15 - 001589

INV. AULET: After visually assessing the crime scene, what was your first impression of what had happened?

OFC. RODELAS: Just that there were shots fired.

INV. AULET: Was there anyone handling the body when you first arrived?

OFC. RODELAS: No.

INV. AULET: So, did CSI handle the body at any time?

OFC. RODELAS: No.

INV. AULET: With the exception of Inspector Shouldice…

OFC. RODELAS: Correction.

INV. AULET: But that was at the direction of Doctor Moffatt?

OFC. RODELAS: Correct.

INV. AULET: To remove the handcuffs on the deceased?

OFC. RODELAS: Yes.

INV. AULET: Okay. Were the Medical Examiner and her investigators arrive on-scene before or after CSI unit members?

OFC. RODELAS: I don’t know for sure if they were on the scene when we arrived. If they were on the scene, in the crime scene, then I would say it was after we arrived.

INV. AULET: I believe we’ve covered this already.

OFC. RODELAS: Yes.

INV. AULET: Did you see on-scene, a Latin male adult, detained in handcuffs?

OFC. RODELAS: I don’t remember anyone in handcuffs at the scene.

INV. AULET: Other than the deceased?

OFC. RODELAS: Correct.

SFDPA - 0134-15 - 001590

INV. AULET: Did you see anyone with the body at the time you arrived?

OFC. RODELAS: I don't remember if there was actually someone standing next to the body when I arrived. I don't remember for sure.

INV. CAMPANY: Is that normal that somebody would be there, sort of guarding it?

OFC. RODELAS: It would be normal for someone to be in the general vicinity, to make sure no one comes near the actual body and the evidence around it.

INV. AULET: Did you see anyone turning Amilcar Perez Lopez onto his back?

OFC. RODELAS: Only the Medical Examiner and their investigators.

INV. AULET: Which is documented in the CSI videotape?

OFC. RODELAS: Yes.

INV. AULET: Did anyone tell you the deceased had been turned over?

OFC. RODELAS: No.

INV. AULET: Did anyone mention that the deceased had been turned over in order to administer CPR upon him?

OFC. RODELAS: Not that I can recall.

INV. AULET: Is the process of attempting to administer chest compressions, CPR upon a subject being shot, something that happens often when officers are the First Responders on-scene?

OFC. RODELAS: Yes.

INV. AULET: And is that something that is automatically

SFDPA - 0134-15 - 001591

considered appropriate and not necessarily to be documented as part of your report, even if it's brought to your attention?

OFC. RODELAS: Yes.

INV. AULET: It has been established that an officer from Mission named Obidi, administered CPR on the deceased. Do you know who handled the body after Officer Obidi?

OFC. RODELAS: No.

INV. AULET: And you were present when the Medical Examiner examined the body?

OFC. RODELAS: Yes.

INV. AULET: And according to your CSI report, Inspector Shouldice removed the handcuffs from Amilcar Perez Lopez. Correct?

OFC. RODELAS: Yes.

INV. AULET: And that was by order of Doctor Moffatt. Correct?

OFC. RODELAS: Correct.

INV. AULET: Did you see a Star number on the handcuffs that were on the deceased?

OFC. RODELAS: Yes, I did.

INV. AULET: And what was that number on them?

OFC. RODELAS: May I reflect on what I brought here? (Refers to documents.) I have here, Star number 1591.

INV. AULET: Whose handcuffs were found on the deceased?

OFC. RODELAS: I do not know.

INV. AULET: Did anyone handle the body after the Medical Examiner?

OFC. RODELAS: No.

SFDPA - 0134-15 - 001592

INV. AULET: I see that the Medical Examiner, in the video, put a yellow tarp over the body, even when they finished. Did they take the body?

OFC. RODELAS: The Medical Examiner did.

INV. AULET: So, that's a yes?

OFC. RODELAS: Yes.

INV. AULET: Does that often happen right after they finish, or was there any reason that you recall that the tarp was placed? I hear from the community that it remained there on-scene for a while?

OFC. RODELAS: Are you talking about after Inspector Shouldice had removed the handcuffs and the Medical Examiner examined the contents?

INV. AULET: And then they put the tarp over him. After that, do you recall that the body remained there for a long period of time?

OFC. RODELAS: I don't believe so.

INV. AULET: Do you remember witnessing the Medical Examiners taking the body?

OFC. RODELAS: I remember them taking the body.

INV. AULET: Okay.

INV. CAMPANY: What's the idea, with regard to a deceased, is it usual practice, best practice to remove it as soon as the work is done?

OFC. RODELAS: Normally, yes.

INV. AULET: And what did you do after they put that yellow tarp over the deceased?

OFC. RODELAS: I don't know exactly what I did, but I know

SFDPA - 0134-15 - 001593

we eventually collected the evidence.

INV. AULET: You mean the casings?

OFC. RODELAS: The casings, the knife.

INV. AULET: The knife.

OFC. RODELAS: And I also, the Medical Examiner also had a cellphone that I took from the Medical Examiner and gave to Sergeant Dedet of Homicide.

INV. AULET: And that was upon Sergeant Dedet's request?

OFC. RODELAS: I believe it may have been, or the Medical Examiner was saying we have the cellphone. Typically, when they do inventory the deceased, and if there's a cellphone, typically, they would notify Homicide, and Homicide would take it.

INV. AULET: At the bottom of page four and page five of 13 of your crime scene report, it covers the cartridge casings found on-scene. Could you please read the Observations part of your report as you indicate what you actually did to complete this section of the report?

OFC. RODELAS: Do you want me to start with the Observations?

INV. AULET: Yes.

OFC. RODELAS: Okay. "2857 Folsom Street was located on the east side of the street. There were two vehicles parked in the northbound parking lanes facing north on the street. One vehicle was a silver Toyota, [redacted], the other vehicle parked directly behind it, was a blue Nissan, [redacted]. On the street between both vehicles, there was a deceased subject who appeared to be in the supine position,

SFDPA - 0134-15 - 001594

covered with a yellow blanket. There was blood pooling by the deceased subject. There was a large kitchen knife on the street, a few feet away from the deceased.

There was a cartridge casing on the street, under the parked silver Toyota. On the sidewalk, adjacent to parked vehicle, there were cartridge casings. One was located on the first step of the front gate of 2857 Folsom Street. The other two casings were located on the sidewalk and tree planter area of the sidewalk. In front of 2855 Folsom Street, there were two other cartridge casings on the sidewalk.

In front of 2861 Folsom Street, there was a silver mountain bike on the sidewalk. The mountain bike was on its side. Directly across from 2857 Folsom Street, was a three-story multi-unit residential house, which was 2860 Folsom Street. On the front side of this property, there were two defects on the tiled wall that appeared to be possible bullet strikes—see attached diagram photos. One strike was located just above the garage door, and the other was by the second-story window. Directly below this particular strike, there was a small concrete area in front of the property. In this area, there was a fired bullet on the ground.

In front of 2860 Folsom Street, Inspector Shouldice later located a fired bullet on the asphalt, in the southbound parking lane of the street. On the sidewalk, in front of this address, there was a street lamp post. It should be noted that this lamp post was functioning on and off intermittently." Would you like me to continue into Evidence?

INV. AULET: Was there anything that you were doing

SFDPA - 0134-15 - 001595

while you were gathering this information?

OFC. RODELAS: When gathering this information on this part?

INV. AULET: Yes.

OFC. RODELAS: No, just confirming what I had.

INV. AULET: Okay.

OFC. RODELAS: And walking around these addresses.

INV. AULET: So, you found six cartridge casings?

OFC. RODELAS: Yes, a total of six cartridge casings.

INV. AULET: And what is your recollection of the one fired bullet found by Inspector Shouldice, across the street on the asphalt, in front of 2860 Folsom?

OFC. RODELAS: I remember he brought it to my attention that he had found that.

INV. AULET: Around what time did that happen?

OFC. RODELAS: I don’t remember what time.

INV. AULET: Well, I don’t mean like a numerical time, but I mean in relation to the whole evening?

OFC. RODELAS: It was later in the night, or later in the whole time I was there.

INV. AULET: Was Inspector Shouldice walking back to his car to leave, when he found said fired bullet on the asphalt?

OFC. RODELAS: I don’t remember. I know that when he left, I left with him, so it wasn’t…I don’t remember if it was on our way to the car. I don’t believe it was, before we actually left the scene.

INV. AULET: Did he mention it to you then or sometime after both of you left the scene?

SFDPA - 0134-15 - 001596

OFC. RODELAS: No. He mentioned it to me while I was at the scene.

INV. AULET: Did anyone ask Officer Nibungco to photograph it?

OFC. RODELAS: I believe Officer Nibungco was not there. I believe they were not on-scene at that time and they were at Mission Station.

INV. AULET: Okay. So, this is sometime after 2342 and before 0135?

OFC. RODELAS: Yes.

INV. AULET: Okay. Did you mark it in any way, on this crime scene?

OFC. RODELAS: I did not mark it with any number or letter.

INV. AULET: Do you know why

OFC. RODELAS: Yes, because at that time, the photographs and all the numbers had already been photographed and videotaped, and everything measured.

INV. AULET: You mean they had been used?

OFC. RODELAS: I'm sorry?

INV. AULET: The numbers had been used?

OFC. RODELAS: Yes.

INV. AULET: The photos had been taken?

OFC. RODELAS: Yes. So, this was after.

INV. AULET: What prevented…help me understand. What prevents another number being used, or another photo being taken, or another piece of videotape being taken if something else is discovered after you had done all that? You, meaning

SFDPA - 0134-15 - 001597

your team.

OFC. RODELAS: Well, nothing prevents us.

INV. AULET: This is, this particular bullet was considered evidence. Right?

OFC. RODELAS: Yes. And that's why I collected it.

INV. AULET: So, what prevented it to use…I'm sorry?

OFC. RODELAS: That's why I collected it and documented that it was found.

INV. AULET: So, nothing prevented it from using a number, it's just that it wasn't done in this case?

OFC. RODELAS: It wasn't done in this case.

INV. AULET: And could that be because you guys had already finished up what you were doing, and you were actually on the way to the car?

OFC. RODELAS: I don't believe so.

INV. AULET: Well, you indicated why it couldn't be photographed, because Nibungco was still at the station, but did Nibungco and Shakur return to the scene?

OFC. RODELAS: I think they did.

INV. AULET: And were you and Inspector Shouldice gone by then?

OFC. RODELAS: No.

INV. AULET: Because you remember them returning to the scene?

OFC. RODELAS: I don't know for sure, but I think they may have returned to the scene.

INV. AULET: And at that point, they couldn't be asked to photograph it where it was, before it was collected by you?

SFDPA - 0134-15 - 001598

OFC. RODELAS: In this case, it could have been photographed, yes.

INV. AULET: Do you remember that you picked it up before Officer Nibungco came to the scene, so it could be photographed where it was found?

OFC. RODELAS: I don't remember for sure, exactly when.

INV. AULET: Were you still on-scene when the two involved officers returned to Folsom Street and re-entered the crime scene with Homicide Sergeant Daniel Dedet and a POA lawyer?

OFC. RODELAS: I believe I was.

INV. AULET: Were you already finished with your task?

OFC. RODELAS: I believe we were finished at that point.

INV. AULET: Is it common for involved officers to go back into the crime scene while you're still documenting it?

OFC. RODELAS: No, it's not common.

INV. AULET: But you specifically remember that the CSI work had been done?

OFC. RODELAS: Yes.

INV. AULET: And that's why it was okay for them to return into the crime scene?

OFC. RODELAS: Yes. What I remember was being done with the crime scene, and before we left, Homicide was bringing back the officers.

INV. AULET: Do you recall in which direction they entered the crime scene?

OFC. RODELAS: I believe that it was from, I don't know for sure, but I believe it was from 25th.

SFDPA - 0134-15 - 001599

INV. AULET: Just [unintelligible] Folsom?

OFC. RODELAS: Yes.

INV. AULET: Okay. And do you remember if they walked into the street or through the sidewalk?

OFC. RODELAS: I don’t know for sure.

INV. AULET: Did you ask what they were doing back inside the crime scene?

OFC. RODELAS: No.

INV. AULET: Why not?

OFC. RODELAS: At that point, all of our evidence was collected, and all our numbers were picked up, and we were done with our part.

INV. AULET: Who were the Homicide sergeants and Patrol supervisors that spoke to you on-scene, who provided you information about the crime scene? You have already mentioned one was Sergeant Montoya. Right?

OFC. RODELAS: Sergeant Montoya did the walk-through with CSI, yes.

INV. AULET: And then you mentioned Sergeant Dedet had some conversation with you. Is that correct?

OFC. RODELAS: Yes, he also was on-scene, and I don’t remember specifically what we discussed at the scene.

INV. AULET: Are you referring to the initial walk-through?

OFC. RODELAS: Initial walk-through was with Sergeant Montoya.

INV. AULET: Not Sergeant Dedet?

OFC. RODELAS: I don’t remember for sure.

SFDPA - 0134-15 - 001600

INV. AULET: But usually, Homicide is present when the first walk-through is done. Right?

OFC. RODELAS: Not necessarily. A lot of times we get there a lot sooner than Homicide because we're coming from the Hall of Justice, and Homicide at that hour, I believe they were being called. I don't know for sure, but I believe they're being called by Operations, because I don't believe their regular hours are that late; I don't know for sure.

INV. AULET: Do you recall anyone other than Sergeant Dedet returning to the crime scene with the involved officers around 0123 hours?

OFC. RODELAS: I do not recall.

INV. AULET: Do you recognize the POA lawyer that was with the Sergeant from Homicide, Dedet, and the involved officers?

OFC. RODELAS: No. I have no idea who the POA attorney was.

INV. AULET: And you have no names in your case file from that night that did not get included in your CSI report?

OFC. RODELAS: I have no names.

INV. AULET: Is there any other explanation you can provide regarding your involvement with your task as the documenter and report writer for a CSI report?

OFC. RODELAS: No.

INV. AULET: Were there any other particular lab requests that you made after you wrote the report?

OFC. RODELAS: After I wrote the report?

INV. AULET: Yeah. I understand there are some other

SFDPA - 0134-15 - 001601

forms that you can initiate to request additional work from the lab. Did you generate any requests for the lab?

OFC. RODELAS: No. CSI doesn't, we don't do the requests, the actual investigators do.

INV. AULET: And you don't recall any of the investigators, whether it was Sergeant Ravano, Sergeant Dedet, Sergeant Chris Canning, or Sergeant [Garden], or Sergeant Levy to come over to you to inquire from your gather of evidence for their investigation?

OFC. RODELAS: No, I don't remember. And any requests that they put in for the lab, we're not privy to, or it doesn't come through us.

INV. AULET: No. What I'm referring is did anyone, like we have asked you today, approach you after you wrote your report, and inquire about aspects of your report in any level of detail?

OFC. RODELAS: There may have been, but I don't remember specifically.

INV. AULET: Could you remember whether that person was from Patrol versus Investigations?

OFC. RODELAS: If I had any inquiry, it would come from Homicide.

INV. AULET: But you don't have any specific recollection of any of those five names that I gave you?

OFC. RODELAS: No, I don't.

INV. AULET: Did you see 5 Sam 26, who is the POA President, Marty Halloran, inside the crime scene at any time?

OFC. RODELAS: I don't remember.

SFDPA - 0134-15 - 001602

INV. AULET: Could you look at the crime scene log, so that you can see where he is mentioned in it?

OFC. RODELAS: (Looks at crime scene log.) I do not see Halloran's name on the log here.

INV. AULET: Okay. And you know who he is?

OFC. RODELAS: Yes, I do.

INV. AULET: But you didn't see him on-scene?

OFC. RODELAS: I don't remember.

INV. AULET: Okay. From the evidence collected and documented on-scene, can you estimate the position of the shooting officers?

OFC. RODELAS: The actual positioning? No. I'd say probably somewhere on that sidewalk. I don't know for sure, or just off the sidewalk into the street.

INV. AULET: And we're talking about the east sidewalk of Folsom Street?

OFC. RODELAS: Yes.

INV. AULET: Do you have any other questions?

INV. CAMPANY: Yeah, I do. And you mentioned, or you touched upon it during your answers, but can you give an overview of what you're specifically tasked to do as the crime scene report writer in an officer involved shooting?

OFC. RODELAS: My task, my primary goal is to identify, preserve, collect, and process evidence at the scene at the time that I arrive, and through that, generate or document that through a written report, through photographs, through videotape, and a diagram. And that's pretty much what my role is, or our role in CSI.

SFDPA - 0134-15 - 001603

INV. CAMPANY: And during the course of you performing your task, what or who do you rely on? Is it just you looking around, figuring out the evidence that's pertinent, or do you rely on others? Could you explain a little there?

OFC. RODELAS: We initially, will just start off with a general walk-through by the supervisor on-scene. Then from there, at CSI, depending on how many resources we have, how many CSI members we have, we go ahead and figure out who's doing what, who's going to be in charge of what, whether it be the evidence collection, the photographs, the videotape, and measuring for the diagram.

INV. CAMPANY: And would other SFPD personnel on-scene, would they know to come to you with any information that would be pertinent to your work on the scene? I mean would they know that if they found a bullet in some weird place, they should probably tell you about it, or would they just rely on you, or are you sort of on your own, independent, team?

OFC. RODELAS: Yeah. In a situation like that, if someone were, an officer were to find other evidence, they would generally come straight to us and say that they had found such and such, or you know, whatever they may have found. But if they believe it's evidence, they usually will come to us straight.

INV. CAMPANY: And is that common that that occurs?

OFC. RODELAS: That is common.

INV. CAMPANY: I don't have anything further.

INV. AULET: Is there any other statement relevant to this incident that you wish to make at this time?

OFC. RODELAS: No, not at this time. I think it's been

SFDPA - 0134-15 - 001604

covered.

INV. AULET: Is there anything I have not asked that you believe we should be aware of?

OFC. RODELAS: Not that I can think of.

INV. AULET: Okay. In that case, I'm going to thank you for your time, and I'm going to conclude the interview at 2:45 p.m.

OFC. RODELAS: Okay.

END OF RECORDING

SFDPA - 0134-15 - 001605